



Michigan Department of Environmental Quality
Waste and Hazardous Materials Division

SOLID WASTE DISPOSAL AREA CONSTRUCTION PERMIT

This construction permit is issued under the provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.11501 et seq., to permit the construction of a solid waste disposal area (Facility) in the state of Michigan. This permit does not obviate the necessity of obtaining other authorization as may be required by state law.

FACILITY NAME: Orchard Hill Sanitary Landfill

PERMITTEE/FACILITY OWNER: Landfill Management Company

PROPERTY OWNER: Hennesey Land Company

TYPE OF FACILITY: Municipal Solid Waste Landfill

FACILITY ID: 458867

COUNTY: Berrien

PERMIT NUMBER: 4083

ISSUE DATE: November 27, 2006

EXPIRATION DATE: One year from date of issuance unless development of the Facility begins within the year.

FACILITY DESCRIPTION: The Orchard Hill Sanitary Landfill, a Municipal Solid Waste Landfill, consists of 283 acres located in the SE 1/4 of Section 28, T3S, R17W, Watervliet Township, and the East 1/2 of Section 33, T3S, R17W, Coloma Township, Berrien County, Michigan. The Facility is identified in Attachment A and is fully described in this permit.

RESPONSIBLE PARTY: Mr. John Balkema
Landfill Management Company
3290 Hennesey Road
Watervliet, Michigan 49098
269-226-9200

This permit is subject to revocation by the Director of the Michigan Department of Environmental Quality (Director) if the Director finds that the disposal area is not being constructed or operated in accordance with the approved plans, the conditions of a permit or license, Part 115, or the rules promulgated under Part 115. This permit shall be available through the applicant during its term and remains the property of the Director. Failure to comply with the terms and provisions of this permit may result in legal action leading to civil and/or criminal penalties as stipulated in Part 115.

THIS PERMIT IS NOT TRANSFERABLE UNLESS PRIOR AUTHORIZATION HAS BEEN OBTAINED FROM THE DIRECTOR.



Steven E. Chester
Director
Michigan Department of Environmental Quality

Permittee/Facility Owner: Landfill Management Company
Facility Name: Orchard Hill Sanitary Landfill
Construction Permit Number: 4083
Issue Date: November 27, 2006

The permittee shall comply with all terms of this permit and the provisions of Part 115 and its rules. This permit includes the permit application and any attachments to this permit.

1. The permittee shall construct the Facility in a manner that will not violate any state or federal law.
2. This permit authorizes the construction of the disposal area as defined in the Application for Permit to Construct a Solid Waste Disposal Area (Application) documents dated July 14, 2006, and received by the Michigan Department of Environmental Quality (MDEQ) on July 18, 2006. The new disposal area authorized by this permit shall not be utilized for the disposal of solid waste until an operating license for the disposal area is issued by the MDEQ.
3. The attached map (Attachment A) shows the Facility, the area permitted for construction, area(s) authorized for the placement and/or acceptance of solid waste, monitoring points, leachate storage units, site roads, and related appurtenances.
4. Issuance of this permit is based on the assumption that the information submitted by the Applicant in the Application dated July 14, 2006, received by the MDEQ on July 18, 2006, and any subsequent amendments is accurate. Any inaccuracies or deviations found in this information may be grounds for the revocation or modification of this permit and/or other enforcement action. The permittee shall inform the MDEQ's Waste and Hazardous Materials Division, Kalamazoo District Supervisor, of any known inaccuracies and/or any deviation in the information of the Application that would affect the permittee's ability to comply with the applicable rules or permit conditions. This permit is issued based on MDEQ review of the Application, EQP 5506. The Application includes the following documents or their approved revisions that are incorporated by reference and become enforceable portions of this permit:
 - a. Application Form EQP 5506.
 - b. Fee in the amount of \$1,750.
 - c. Solid Waste Disposal Area Construction Permit Application Volumes 1-3, June 2006 - Rev. 1, October 24, 2006.
 - d. Hydrogeologic Monitoring Plan, Orchard Hill Sanitary Landfill, June 2006 - Rev. 1, October 24, 2006.
 - e. Engineering Plan Sheets 1-37 entitled "Construction Permit Application Orchard Hill Sanitary Landfill."
5. The sampling parameters and monitoring frequencies are outlined in the Hydrogeological Monitoring Plan. The sampling results shall be submitted to the MDEQ's Waste and Hazardous Materials Division, Kalamazoo District Office.
6. **VARIANCES:** None.
7. **SPECIAL CONDITIONS:**
 - a. This Solid Waste Disposal Area Construction Permit Number 4083 supersedes and replaces Solid Waste Disposal Area Construction Permit Modification Number 4076, issued to Landfill Management Company, on March 7, 2006. The engineering plans approved with this Solid Waste Disposal Area Construction Permit are the only engineering plans approved for construction at the Orchard Hill Sanitary Landfill.

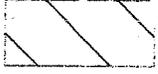
Permittee/Facility Owner: Landfill Management Company
Facility Name: Orchard Hill Sanitary Landfill
Construction Permit Number: 4083
Issue Date: November 27, 2006

- b. Prior to the certification of Cell 6B, the permittee shall provide documentation that the Kreiger property is no longer being used as a domicile and that the domestic well has been abandoned or relocated outside the 800-foot setback distance to the active work area. Prior to the certification of Cell 10, the permittee shall provide documentation that the Muth property domestic well has been abandoned or relocated outside the 800-foot setback distance from the active work area. The Kreiger property is located near N-1500, E-100, and the Muth property is located near N-3900, E-1100, on sheet 1 of the engineering plans approved with this permit.
8. **TERM:** This construction permit shall expire one year after the date of issuance, unless development under the construction permit is initiated within that year.

END OF PERMIT

ATTACHMENT A

LEGEND

-  PROPERTY BOUNDARY
-  ROAD RIGHT-OF-WAY
-  INDIANA MICHIGAN POWER COMPANY EASEMENT (60' WIDE)
-  SOLID WASTE BOUNDARY
-  CURRENT PERMITTED AREA
-  PROPOSED LATERAL EXPANSION AREA

NOTES

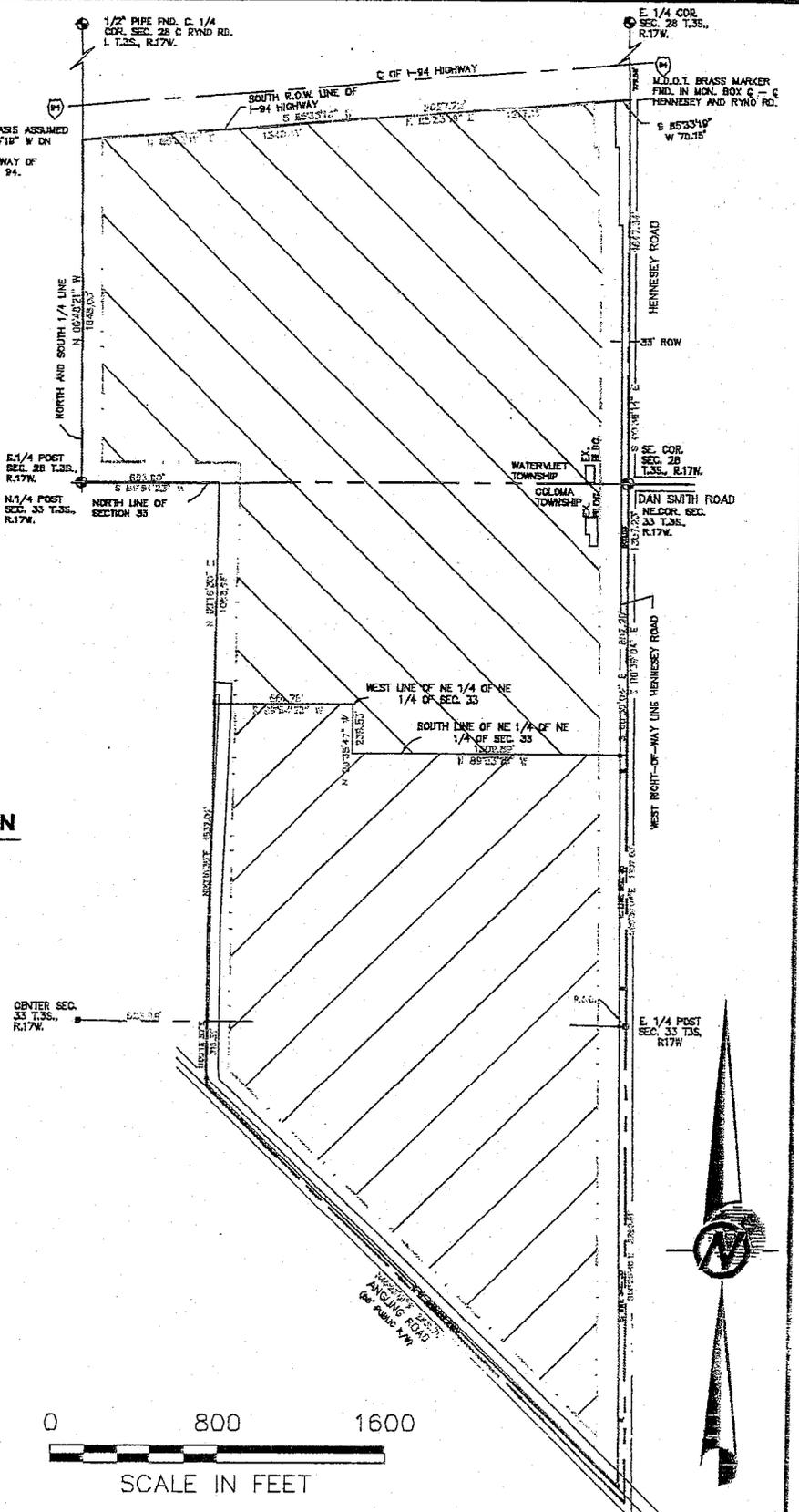
1. DRAWING BASED ON "9-SURV-D" PROJECT NUMBER "B9618-9" PROVIDED BY GOVE ASSOCIATES, INC. DATED 1/4/01
2. INDIANA MICHIGAN POWER COMPANY EASEMENT BASED ON FILE NUMBER "139-54A" EASEMENT NUMBER "54-A EXHIBIT A"

PROPERTY BOUNDARY DESCRIPTION

DECEMBER 27, 2000

A parcel of land that is part of Sections 28 and 33 in Town 3 South, Range 17 West, Berrien County, Michigan and Watervliet Townships, Berrien County, Michigan described as;

Beginning at the Section Corner common to Sections 27, 28, 33 and 34 in Town 3 South, Range 17 West, Berrien County, Michigan; thence $N00^{\circ}38'14''W$ 1847.34 feet along the East Line of Section 28 to the South Right-of-Way Line of Interstate Highway I-94; thence $S85^{\circ}33'19''W$ 2827.72 feet along said south line to the North and South 1/4 Line of said section 28; thence $S00^{\circ}48'21''E$ 1648.03 feet along said line to the 1/4 Corner common to aforementioned sections 28 and 33; thence $N89^{\circ}54'23''E$ 663.00 feet along the section line common to said sections; thence $S00^{\circ}16'30''W$ 2912.55 feet to the centerline of Angling Road; thence $S45^{\circ}23'01''E$ along said centerline, 2831.78 feet to the east line of said section 33; thence $N00^{\circ}26'48''W$, along said east line of said section 33, 2290.61 feet to the east quarter post of said section 33; thence $N00^{\circ}39'04''W$ 2614.26 feet, along said east line to the Section Corner common to Sections 27, 28, 33 and 34 and the Point of Beginning. Containing 283.066 acres more or less and excepting all easements and restrictions of record, if any.



Drawing file: 8983.0001-050.dwg Jan 10, 2006 12:25pm

 <p>Golder Associates Wixom, Michigan</p>	SCALE	AS SHOWN	TITLE	<p>SITE PLAN ORCHARD HILL SANITARY LANDFILL BERRIEN COUNTY WATERVLIET, MICHIGAN</p>	
	DATE	1/10/05			
	DESIGN	PTS			
	CADD	BJK			
FILE No.	8983.0001-050	CHECK	PTS		
PROJECT No.	043-8983	REV.	0		
		REVIEW	JAB		
LANDFILL MANAGEMENT CO.				FIGURE	1